

15 April 1997

Security Police

**LETTERS OF EXPULSION AND ORDER NOT
TO REENTER ANDREWS AFB (PA)**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements AFD 31-2, Law Enforcement, Mar 94 and AFI 31-209, The Air Force Resource Protection Program, Nov 94, and establishes policies and procedures for the issuance of letters of expulsion and order not to reenter Andrews AFB, barring persons from Andrews AFB. It implements Title 18, United States Code, Section 1382. It applies to all persons, military and civilian, who enter Andrews AFB, MD and its satellite installations.

This instruction is affected by the Privacy Act of 1974 and is authorized by 10 U.S.C. and 44 U.S.C. 3101.

SUMMARY OF REVISIONS

This revision reflects changes in terminology and incorporates new barment procedures.

1. Terms Explained.

- 1.1. Andrews AFB. All real property under the jurisdiction of the 89th Airlift Wing Commander, Andrews AFB, including all satellite installations (Brandywine and Davidsonville sites).
- 1.2. Barred Personnel Case Files. Records pertaining to persons who have been ordered not to reenter Andrews AFB.
- 1.3. Installation Commander. The Commander, 89th Airlift Wing.
- 1.4. Support Group Commander. The Commander, 89th Support Group.
- 1.5. Chief, Security Police (CSP). The Commander, 89th Security Police Squadron.
- 1.6. Barred Listing. A listing of persons who have been ordered not to reenter Andrews AFB or any of its satellite installations.
- 1.7. Letter of Warning. A written communication to a person who engaged in misconduct, or to the sponsor of a dependent or guest who engaged in misconduct, on Andrews AFB or its satellite loca-

tions that express the issuing commander's concern about the incident and caution the recipient about the possible consequences of future incidents.

1.8. Letter of Expulsion and Order Not to Reenter Andrews AFB. A written notification that orders a person to leave Andrews AFB or not to reenter Andrews AFB. A Letter of Expulsion may contain exceptions.

1.9. Oral Expulsion Order. When time does not permit the preparation of a letter, the installation commander may, personally or through another representative or designee, orally direct the expulsion of a person.

1.10. Staff Judge Advocate (SJA). The Staff Judge Advocate, 89th Airlift Wing.

2. Responsibilities:

2.1. Installation Commander. Responsible for maintaining the security, order, and discipline necessary for military operations on Andrews AFB and for excluding individuals whose presence undermines the same. After receiving advice from the CSP and SJA, the installation commander takes action to exclude individuals from Andrews AFB or to issue a letter of warning. This responsibility cannot be delegated.

2.2. Chief, Security Police (CSP). Responsible for the apprehension and detention of individuals who commit offenses that jeopardize the security, order, and discipline of the base. The CSP will initiate letters of expulsion and order not to reenter Andrews AFB and letters of warning. In addition, the CSP will maintain barred personnel case files and the barred listing.

2.3. Staff Judge Advocate (SJA). Responsible for reviewing the circumstances of each incident that could undermine the security, order, or discipline of the base and recommending an appropriate course of action to the installation commander. The SJA will review all barment actions and letters of warning initiated by the CSP and will forward recommendations concerning same to the installation commander. The SJA may also recommend initiation of barment or other action to the CSP or installation commander, based upon the completion of administrative discharge actions, courts-martial, magistrate's court dispositions, and such other actions which the SJA, in the exercise of his or her discretion, deems necessary or advisable.

3. Persons Subject to Expulsion. Any person who, by his or her actions, poses a threat to the security, order, or discipline of Andrews AFB are subject to expulsion by the installation commander. The following should not normally be barred:

3.1. Active Duty Military. Active duty military personnel, during periods they are assigned to Andrews AFB.

3.2. Civilian Employees. Civilian employees of the federal government, during periods they are required to work on Andrews AFB.

3.3. Reserve and National Guard Members. Members of a reserve or national guard component of the armed forces, during periods they are on orders or their UTA days to Andrews AFB.

3.4. DoD Contractor Employees. Employees of DoD contractors whose presence on Andrews AFB is deemed by the installation commander, after consultation with the contracting office, to be essential to the performance of the contractor.

4. Letter of Expulsion. Letters of expulsion and order not to reenter Andrews AFB will be signed by the installation commander. Oral expulsion orders will be followed by a written letter of expulsion and order not to reenter Andrews AFB.

4.1. Format. Proposed letters of expulsion and order not to reenter Andrews AFB will be prepared by the 89th Security Police Reports and Analysis element (89 SPS/SPAA) following the format of [Attachment 1](#). No information that is classified or which could compromise sensitive investigative sources or methods will be revealed in the letter.

4.2. Coordination. All proposed letters of expulsion and order not to reenter Andrews AFB will be referred to SJA and support group commander for coordination. Additionally proposed letters involving civilian employees will be referred to the civilian personnel flight for coordination. Proposed letters will be accompanied by the relevant Security Police report, blotter entry, witness statements, etc. The cover letter will also reference any past incidents involving the same individual and, if available, the action taken at the time of that incident.

4.3. Delivery. After signature by the installation commander, letter of expulsion and order not to reenter Andrews AFB will be returned to the CSP, who will cause the letter(s), to be hand delivered or transmitted by certified mail.

4.3.1. When a person refuses to acknowledge receipt of a letter of expulsion and order not to reenter Andrews AFB that is hand delivered, the persons making the delivery will write out a declaration of the facts that will be maintained in the case file. The declaration should state, as a minimum, "This letter was served on (person served) at (date and time). Person served refused to acknowledge receipt." The declaration should then be signed by the deliverer.

4.3.2. Letters of expulsion and order not to reenter Andrews AFB returned undeliverable by the postal service will be maintained in the case file. The individual will be placed on the barred listing effective the date of the letter of expulsion and order not to reenter Andrews AFB.

4.3.3. A person delivering an oral expulsion order for the installation commander or designee will, after its delivery, prepare a declaration setting forth the facts of the delivery that will be included in the case file. The declaration will include a physical description of the person barred in sufficient detail to establish identity and any other facts that support proper identification of the person barred. The person delivering an oral expulsion order will be primarily responsible for ensuring that a written order is prepared and properly delivered to the recipient as expeditiously as possible.

5. Letters of Warning.

5.1. Format. In appropriate cases, the CSP will prepare letters of warning for the installation commander, or designee, following the format of [Attachment 2](#). The 89th Support Group Commander is the designated authority to sign letters of warning.

5.2. Coordination. Proposed letters of warning will be referred to SJA (and other agencies, if appropriate) for coordination.

5.3. Maintenance. A copy of the letter of warning will be maintained in the case file to which it relates.

6. Objective Rules. Although barment decisions are made on a case-by-case basis, the following offenses invariably raise serious questions about the offender's continued access to the installation. Accordingly, barment action should be considered whenever the following offenses are committed.

- 6.1. Any offense involving drugs or controlled substances.
- 6.2. Shoplifting.
- 6.3. Trespassing.
- 6.4. Failure to produce identification when requested by a security policeman.
- 6.5. Failure to comply with a valid request of a security policeman or otherwise interfering with the performance of duty by a security policeman.
- 6.6. Providing false identification to a security policeman.
- 6.7. Threatening or assaulting a security policeman.
- 6.8. Reckless driving or eluding chase.

IMPORTANT NOTE: The list of cited offenses is not exhaustive and is not meant to exclude other offenses which raise concerns about good order and discipline.

7. Barred Personnel Case Files. Each case file will contain as much of the following as is appropriate:

- 7.1. **Delivery Evidence.** A copy of the signed letter of expulsion and order not to reenter Andrews AFB, along with evidence that it was delivered (certified mail return receipt, signed acknowledgment, or declaration), or that it could not be delivered.
- 7.2. **Incident Report.** A copy of the report, unclassified report summary, or other information upon which the issuing commander's action was based.
- 7.3. **Other Related Correspondence.** A copy of all correspondence relating to the action from the person barred, his or her attorney, and any personnel involved. Also, any other related material, as appropriate.
- 7.4. **Disposition of Files.** Barred case files will be maintained in active files until the corresponding names are removed from the barred list. All inactive case files will be disposed of in accordance with current instructions.

8. Barred List. This list will contain names of persons barred from the installation by letter of expulsion and order not to reenter Andrews AFB. Exceptions to the retention periods may be made by the installation commander based on individual cases. The installation commander may order an individual be removed from the barred list at anytime. In addition, expulsion orders received as a result of the disposition of a hearing in Federal Magistrate Court will be for the period set by the court, unless it conflicts with the installation commander's time period. The greater length of time will prevail.

9. Overlap with Youth Intervention Program. Base barments may be considered as a potential recommendation under the base Youth Intervention Program. Recommendations made by the Youth Interven-

tion Program will not interfere with the exercise of the discretion of the installation commander to impose, rescind, or modify a barment order.

ARTHUR J. LICHTE, Brigadier General, USAF
Commander

Attachment 1

LETTER OF EXPULSION AND ORDER NOT TO REENTER ANDREWS AFB FORMAT

**DEPARTMENT OF THE AIR FORCE**
HEADQUARTERS 89TH AIRLIFT WING (AMC)

MEMORANDUM FOR (Individual's name)

FROM: 89 AW/CC
1535 Command Drive, Suite A 225
Andrews AFB MD 20762-7001

SUBJECT: Order Not to Enter or Reenter Military Reservation

1. It has come to my attention that you were charged with (offense) on (date of incident).
2. Based upon this incident of misconduct, I consider your continued presence on this installation to be detrimental to the maintenance of good order and discipline. Effective immediately, you are ordered not to enter Andrews AFB or its satellites from receipt of this letter through (date).
3. If you fail to comply with this order, you will be in violation of Title 18, United States Code, Section 1382, which reads in part:

"Whoever reenters or is found within any installation, after having been removed therefrom or ordered not to reenter by any officer or person in command thereof, shall be fined not more than \$500.00 or imprisoned for not more than six months or both."
4. Should you reenter Andrews AFB or its satellites in violation of this order, without having received prior approval, you will be subject to detention by the military police for delivery to the appropriate civilian and military authorities.
5. If you are entitled to medical treatment at Malcolm Grow Medical Center, you may enter Andrews AFB to use said facility. In addition, you are authorized on the installation to attend your mandatory magistrate court hearing. To do so, you must present this letter to the security police personnel at the installation entry point and obtain the appropriate visitor pass.
6. This order will remain in effect for the period prescribed in Paragraph 2, unless otherwise revoked in writing by the Commander, Andrews AFB. If you desire reconsideration or modification of this order, you may present your written justification to this headquarters, ATTN: Chief, Security Police, 89th Security Police Squadron, 1845 Westover Drive, Suite 104, Andrews AFB MD 20762-5910.

ARTHUR J. LICHTE
Brigadier General, USAF
Commander

Attachment 2

LETTER OF WARNING FORMAT



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 89TH AIRLIFT WING (AMC)

MEMORANDUM FOR (Commander)

FROM: 89 SPTG/CD

1535 Command Drive, Suite EE-211

Andrews AFB MD 20762-7002

SUBJECT: Letter of Warning

1. MFM/_____, of _____, was detained and charged with _____ on (date). The actions of (name) will not be tolerated.

2. Please counsel (sponsor name) and warn him/her of the consequences of such incidents. Please remind (sponsor name) that he/she is responsible for his/her actions, the actions of his/her family members, and sponsored guests. Please ensure (sponsor name) is fully aware that any further incidents by _____ will result in his/her immediate expulsion from this installation. Please ensure (sponsor name) is issued the attached letter of warning.

3. Any questions concerning this matter should be directed to the 89th Security Police Squadron Reports and Analysis Section (89 SPS/SPAA), at extension 7131 or 7132.

HARRY E. LeBOEUF, Jr., Lt Col, USAF
Deputy Commander, 89th Support Group

Attachment:

Letter of Warning



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 89TH AIRLIFT WING (AMC)

MEMORANDUM FOR

FROM: 89 SPTG/CD

1535 Command Drive, Suite EE-211

Andrews AFB MD 20762-7002

SUBJECT: Letter of Warning

1. It has come to my attention that your ____, (name), was detained and charged with _____ on (date).
2. Military members are responsible for their actions, the actions of their family members, and sponsored guests. The conduct displayed by your (____) reflects unfavorably on you and the United States Air Force. His/her actions are unacceptable and will not be tolerated. You are cautioned to ensure in the future that you, your family members, and sponsored guests conduct themselves in the utmost professional manner. You are also cautioned any future misconduct by your (____) will result in his/her immediate expulsion from this installation.
3. It is time you took a personal interest in the actions of your family members. You must take some type of corrective action to ensure your (____) is not involved in any other incidents.

HARRY E. LeBOEUF, Jr., Lt Col, USAF
Deputy Commander, 89th Support Group